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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,054	10/31/2003	Kazuki Emori	SHO-0038	8377

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EXAMINER
HALL, ARTHUR O

ART UNIT	PAPER NUMBER
3714	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/697,054	EMORI ET AL.	
	Examiner	Art Unit	
	Arthur O. Hall	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *5/29/2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) *2* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 3-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *5/29/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 5/29/2007 has been acknowledged by the examiner.

Response to Amendment

Examiner acknowledges that applicant's amendments to claim 1 obviate the non-statutory obviousness-type double patenting rejection with regard to the conflict with claim 1 of co-pending Application No. 10/697,007. Therefore, Examiner withdraws further rejection of the claim.

Examiner acknowledges that applicants arguments directed to the rejection set forth under 35 U.S.C. 102(b) and 35 U.S.C. 103(a) are persuasive, in part, in view of each of applicants amendments, and, in part, in view of applicants arguments, thus the rejections under 35 U.S.C. 102(b) and 35 U.S.C. 103(a) are withdrawn. However, a new ground of rejection under 35 U.S.C. 103(a) has been set forth below.

Examiner acknowledges that the title of invention has been changed to – GAMING MACHINE HAVING A COMMON ILLUMINATION DEVICE --, which obviates the objection to the title as being non-indicative of the invention to which the claims are directed. Therefore, Examiner withdraws further objection of the claim.

Examiner acknowledges that claim 4 has been amended to obviate the objection as to the informality of the claim. Therefore, Examiner withdraws further objection of the claim.

Examiner acknowledges applicant's amendment of claim 4, which obviates the rejection to claim 4 as being indefinite as described in the Non-final Office Action dated 12/14/2006. Therefore, Examiner withdraws further rejection of the claim.

Examiner acknowledges that claims 7-11 are newly-added claims that were not subject to examination in the Non-final Office Action dated 12/14/2006.

Priority

Applicant is advised of possible benefits under 35 U.S.C. 119(a)-(d), wherein an application for patent filed in the United States may be entitled to the benefit of the filing date of a prior application filed in a foreign country.

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a certified English translation of the foreign application must be submitted in reply to this action. 37 CFR 41.154(b) and 41.202(e).

Failure to provide a certified translation may result in no benefit being accorded for the non-English application.

Claim Objections

Claims 7 and 8 are objected to because of the following informalities: a conjunctive "and" term is required after the "liquid crystal display device" feature in claim 7 and after the "third illumination device" feature in claim 8 so as to clearly distinguish the different features of the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1 and 3-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozaki et al. (US Patent Application Publication 2001/0031658 A1; hereinafter Ozaki) in view of Hagiwara (US Patent 5,580,055).

Regarding claims 1 and 7, Ozaki teaches

a gaming machine (paragraph 0112, Ozaki) comprises:

a game result display device for displaying a game result thereon (paragraph 0136, Ozaki; a back side display means or display including reels and/or LCD device is provided for displaying winning or non-winning symbol combinations); and

a beneficial state generating device for generating a beneficial state for a player when a predetermined game result is displayed on the game result display device (paragraph 0071, Ozaki; a CPU determines when to stop the display of symbols upon generation of a winning or non-winning combination of symbols to be displayed on the display);

wherein the game result display device includes a first display device having a plurality of symbol display parts capable of variably displaying and stopping plural symbols, each of the symbol display parts having light transmittance, or **in other words**, a plurality of mechanical reels each of which has a reel sheet having light transmittance and plural symbols formed thereon (paragraph 0112 and Figs. 17, 27 and 28, 9, Ozaki; a rotational reel display device has reels with plural patterns or symbols disposed thereon), and a second display device arranged in front of the first display device when seen from a front side of the gaming machine, the second display device being constructed from a liquid crystal display device including a liquid crystal panel, or **in other words**, a liquid crystal display device arranged in front of the reels, the liquid crystal display device having light transmitting areas each of which is disposed corresponding to each reel to see the symbols (paragraph 0112, Fig. 27, 5 and 23 and Fig. 28, 24, Ozaki; a transparent LCD device is disposed in front of a rotational reel display device and includes a liquid crystal shutter/liquid crystal panel and front side display means/transparent EL panel/light guide plate), and

wherein a common illumination device is provided, the common illumination device including a front illumination device for illuminating the first display device from a front side thereof and the liquid crystal panel from a rear side thereof, or **in other words**, a second illumination device arranged between the reels and the liquid crystal display device, wherein the second illumination device illuminates the symbols on the reel sheets from front sides of the reels and the liquid crystal display device (paragraphs 0113 and 0138 and Figs. 17, 27 and 28, 9, Ozaki; a fluorescent lamp or second

illumination device, arranged between the transparent LCD device and rotational reel display device, illuminates the symbols disposed on the reels from the front side of the reels).

However, Ozaki does not substantially teach rear or first illumination device features as claimed.

Therefore, attention is directed to Hagiwara, which teaches a rear illumination device arranged within the first display device for illuminating the first display device from a rear side thereof and the liquid crystal panel by light passed through the symbol display parts, or **in other words**, a first illumination device arranged within each reel, wherein the first illumination device illuminates the symbols on the reel sheets from rear sides of the reels and the light transmitting areas on the liquid crystal display device by light passed through the reel sheets (column 6, lines 5-37 and Figs. 5 and 6, 36, Hagiwara; light sources or first illumination devices are disposed within each reel to transmit light from the rear past the symbols disposed on the surface of the reels).

All of the features or components required to obtain a display and common illumination device are known in Ozaki and Hagiwara. The only difference is the combination of the "old elements" into a single device through mounting light sources internal to the reels and fluorescent lamp along with other features external to the reels.

Thus, it would have been obvious to one having ordinary skill in the art at the time the applicant's invention was made to arrange the light sources disposed internal to the reels as taught by Hagiwara in alignment with the fluorescent light and LCD device as taught by Ozaki because the alignment is not dependent on any particular

structural change other than to ensure that the light from the light sources passes through to the LCD device along with the reflected light from the fluorescent lamp, which is a required configuration in order for the symbols to be displayed.

Regarding claims 3, 5-6 and 8-11, Ozaki teaches

Regarding claims 3 and 8,

the liquid crystal display device further including:

a liquid crystal panel (paragraph 0137 and Fig. 27, 23, Ozaki; a liquid crystal shutter or liquid crystal panel is disclosed);

a light guide device arranged at a rear side of the liquid crystal panel, or **in other words**, a light guide plate arranged between the liquid crystal panel and the second illumination device (paragraphs 0112 and 0119 and Fig. 27, 5, Ozaki; a transparent EL panel or light plate is disclosed);

an individual illumination device for guiding light to the light guide device, or **in other words**, a third illumination device for guiding the light to the light guide plate (paragraph 0138 and Fig. 28, 26, Ozaki; a light source or individual illumination device is disclosed for reflecting light off of the reels into the LCD device), and

a reflection device for reflecting light guided to the light guide device toward the liquid crystal panel positioned at a front side of the light guide device, or **in other words**, a reflection plate arranged between the light guide plate and the second illumination device (paragraphs 0045 and 0138 and Fig. 28, 9, 25 and 24, Ozaki; a reflection plate is disclosed as being disposed between a light source and LCD Device that includes a transparent EL panel or light guide plate), and

wherein areas of the reflection device corresponding to the symbol display parts of the first display device are made as light transmitting parts so that the light passed through the symbol display parts reaches to the liquid crystal panel, or **in other words**, wherein the reflection plate has a reflection area for reflecting the light guided to the

light guide plate by the third illumination device toward the liquid crystal panel and the light transmitting areas for passing through the light from the first illumination device (paragraph 0046, Ozaki).

Regarding claim 5,

a game start instruction device is operable by a player (paragraphs 0113, Ozaki; stop switches are operated by a player);

a game internal winning combination determination device determines an internal winning combination based on an output from the game start instruction device (paragraphs 0071-0073 and 0113, Ozaki; a CPU or processor determines the winning combination); and

a game result display control device conducts display control of the game result display device based on a determined result by the internal winning combination determination device (paragraphs 0063-0064, 0071-0073 and 0113, Ozaki; a processor controls display of the game result or match or outcome of symbols combinations based on a win condition);

wherein the game result display control device turns off all illumination devices included in the common illumination device in a case that the internal winning combination determination device determines a predetermined combination as the internal winning combination (paragraphs 0071-0073 and 0136, Ozaki; on-off control by a processor for luminescence of the LCD device is provided based on winning combinations of symbols).

Regarding claim 6, the illumination device included in the common illumination device is able to variably display the symbols (paragraph 0071, Ozaki; variable display of patterns or symbols is provided based on illumination of symbols for a winning or no-winning condition).

Regarding claims 9 and 10,

a processor controls the reels, the first illumination device and the second illumination device **or** the first illumination device, the second illumination device and the third illumination device (paragraphs 0063-0064, 0071-0073, 0113, Ozaki; it would have been obvious at the time of invention to include a light source disposed within the reels for the same reasons described above);

wherein the processor selects the symbols to be stopped and displayed, determines based on the selected symbols whether or not a symbol combination is won and stops the reels (paragraphs 0063-0064, 0071-0073 and 0113, Ozaki; a stop pattern selection means is disclosed), and

wherein the processor turns off at least one of the first illumination device and the second illumination device **or** the first illumination device, the second illumination device and the third illumination device if the processor determines that the symbol combination is won (paragraphs 0063-0064, 0071-0073 and 0136, Ozaki; it would have been obvious at the time of invention to include a light source disposed within the reels for the same reasons described above).

Regarding claim 11,

the first illumination device and the second illumination device functions as an illumination device to illuminate the symbols on the reel sheets if liquid crystal in the light transmitting areas of the liquid crystal display device is not driven (paragraph 0074, Ozaki; if a winning combination is "not" displayed, patterns symbols are displayed by the transparent EL panels via plural light sources and it would have been obvious at the time of invention to include a light source disposed within the reels for the same reasons described above), and

the first illumination device and the second illumination device functions as an illumination device to illuminate the liquid crystal display device if the liquid crystal in the light transmitting areas of the liquid crystal display device is driven (paragraphs 0078-0079, Ozaki; if a winning combination is displayed, patterns symbols are displayed by the transparent EL panels via plural light sources and it would have been obvious at the

time of invention to include a light source disposed within the reels for the same reasons described above).

The claimed features of claims 4 do not appear to be disclosed in Ozaki; therefore, attention is directed to Hagiwara, which teaches the liquid crystal panel is set to normally white (column 8, lines 36-50 and column 9, line 36 to column 10, line 6, Ozaki; a first light source is a normal set to a mode that is white light reflected onto the LCD device to generate a white color setting).

Thus, these new grounds of rejection are deemed to be proper. Therefore, this office action is made final.

Response to Arguments

Applicant's response filed on 5/29/2007 with respect to Examiners' rejection under 35 U.S.C. 102(b) in the Non-final Office Action dated 12/14/2006 have been fully considered and are persuasive in light of applicant's amendments and arguments thereof. Hence, the rejection under 35 U.S.C. 102(b) has been withdrawn.

Applicant's response filed on 5/29/2007 with respect to Examiners' rejection under 35 U.S.C. 103(a) in the Non-final Office Action dated 12/14/2006 have been fully considered and are persuasive in light of applicant's amendments and arguments thereof. Hence, the rejection under 35 U.S.C. 103(a) has been withdrawn.

Consequently, applicants arguments have been deemed to be persuasive, in part, in view of each of applicants amendments, and, in part, in view of applicants arguments. However, Examiner has provided the above new grounds of rejection of the claims as unpatentable over Ozaki in view of Hagiwara because each of the features of applicant's claimed invention continues to be disclosed in the prior art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

C US-2005/0192090 A1, Muir et al.

D US-6,398,217 B1, Shimizu et al.

E US-6,251,013 B1, Bennett

F US-5,752,881, Inoue

G US-6,695,696 B1, Kaminkow

H US-2004/0038726 A1, Inoue

I US-7,255,643 B2, Ozaki et al.

J US-2002/0196388 A1, Ohkawa

K US-2003/0087690 A1, Loose et al..

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur O. Hall whose telephone number is (571) 270-1814. The examiner can normally be reached on Mon - Fri, 8:00am - 5:00 pm, Alt Fri, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH
8/22/2007

ROBERT E. PEZZUTO
SUPERVISORY PRIMARY EXAMINER